

IN UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

MARION MISIAK and
MARY BETH MISIAK

Plaintiffs,

v.

MORRIS MATERIAL HANDLING, INC.,
a foreign corporation, d/b/a P&H Cranes,
P&H CRANES, individually and as
a division of Morris Material Handling,
Inc., WHITING CORPORATION, a
Foreign corporation, HUBBELL
INCORPORATED, a foreign corporation
d/b/a Gleason Reel Corp., and
GLEASON REEL CORP., a foreign
Corporation, a/k/a GRC International,
individually and as a division of
Hubbell Incorporated,

Defendants.

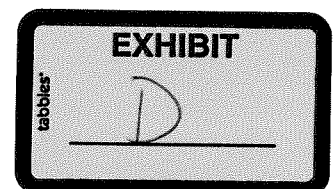
No. 07 C 6330

Honorable Judge John W. Darrah

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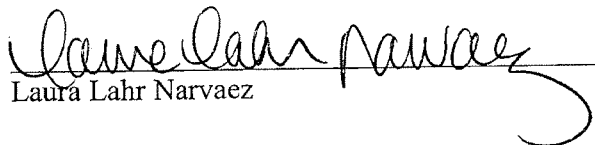
I, Laura Lahr Narvaez, being duly sworn upon her oath, states as follows:

1. I am currently the Legal Administrator of The Marmon Group LLC ("The Marmon Group"). I have served in this capacity since approximately January of 2005.
2. Union Tank Car Company ("Union Tank") is a member company of The Marmon Group. Member companies such as Union Tank operate under their own management but are provided with legal counsel by The Marmon Group.
3. As Legal Administrator, I personally participated in assigning legal matters involving Union Tank to Johnson & Bell, Ltd. ("Johnson & Bell") for representation. In addition, I was advised when I started in my current position that all legal matters involving Union Tank should be referred to Johnson & Bell for handling. It is my understanding that this exclusive relationship started in approximately the mid 1970s and continued until approximately 2006.



4. Johnson & Bell was retained as primary counsel for all Union Tank matters from approximately the mid 1970s until 2006, which consisted of approximately 320 matters involving Union Tank, including but not limited to representing Union Tank in matters involving products liability, premises liability, toxic tort litigation, and chemical spills and releases. The majority of these matters addressed issues regarding Union Tank's safety policies and procedures and standards with respect to the maintenance, inspection and repair of its equipment.
5. Johnson & Bell was retained as primary counsel in matters involving the East Chicago, Indiana facility at issue in this case and in out of state matters. Johnson & Bell worked in conjunction with local counsel on out of state matters involving Union Tank.
6. Johnson & Bell remains in possession of all files related to the matters it previously handled on behalf of Union Tank and continues to submit invoices to The Marmon Group for legal services performed in connection with its representation of Union Tank.
7. I have reviewed Union Tank's Motion to Disqualify and Memorandum in Support in the above-captioned matter, and find the description of Johnson & Bell's prior representation of Union Tank to be true and accurate.

FURTHER AFFIANT SAYETH NOT.


Laura Lahr Narvaez

Subscribed and sworn to
Before me this 21 day of April, 2008.


Notary Public

